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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALBERTO GARIBAY,

Defendant.

CASE NO. 2:24-CR-0067-DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: February 3, 2025
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on February 3, 2025.
2. By this stipulation, defendant now moves to continue the status conference until March 31, 2025, and to exclude time between February 3, 2025, and March 31, 2025, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes hundreds of pages of discovery, including law enforcement reports, lab reports, search warrants, and photographs. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Counsel for defendant desires additional time to review the discovery, research

possible defenses, file motions, and otherwise discuss resolution or prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 3, 2025 to March 31, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: January 31, 2025

PHILLIP A. TALBERT
United States Attorney

/s/ ROSS PEARSON
ROSS PEARSON
Assistant United States Attorney

Dated: January 31, 2025

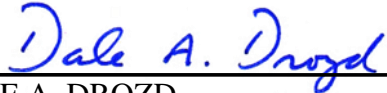
/s/ PERCY MARTINEZ
PERCY MARTINEZ
Counsel for Defendant
ALBERTO GARIBAY
(Authorized by email on January
31, 2025)

ORDER

Pursuant to the stipulation of the parties and good cause appearing, the status conference scheduled for February 3, 2025 is continued to March 31, 2025, at 9:30 a.m. and time is excluded between February 3, 2025, and March 31, 2025, under Local Code T4. **However, no further continuances of the of the status conference in this case will be granted absent a compelling showing of good cause.**

IT IS SO ORDERED.

Dated: February 3, 2025



DALE A. DROZD
UNITED STATES DISTRICT JUDGE